

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

HALIOTIS INVESTMENTS S.A.	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 1:06-cv-00679-***
	)	
ARCH HILL N.V., LITHIUM TECHNOLOGY	)	
CORP., HENDRIKUS HAROLD van ANDEL	)	
	)	
Defendants.	)	

**STIPULATION AND ORDER**

WHEREAS, defendant Hendrikus Harold van Andel unexpectedly passed away on April 18, 2007;

WHEREAS, Mr. van Andel's counsel filed a letter with the Court on April 19, 2007, notifying the Court and counsel of Mr. van Andel's death;

WHEREAS, it is unsettled under which country's law Mr. van Andel's estate will be administered, and the parties have agreed that Plaintiff may have additional time than that provided in the Federal Rules of Civil Procedure to substitute Mr. van Andel's estate for Mr. van Andel in this action;

WHEREAS, Plaintiff intends to substitute the estate as a party once it is determined under which country's law the estate will be administered; and

WHEREAS, the parties have engaged in settlement discussions in an effort to resolve this action and, as a result, have agreed that Defendants may have additional time to respond to the complaint;

NOW, THEREFORE, Plaintiff and Defendants hereby stipulate and agree, subject to the approval of the Court, as follows:

1. Defendants shall have until September 5, 2007 to respond to the complaint filed in the above-captioned action; and

2. Plaintiff shall have until September 5, 2007 to file a motion to substitute the proper party for the late Mr. van Andel.

/s/ Matthew F. Davis

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*Attorneys for the late Hendrikus Harold  
van Andel, Lithium Technology Corp., and  
Arch Hill N.V.*

SO ORDERED this \_\_\_\_ day of July, 2007

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Magistrate Judge Mary Pat Thyng